

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff

)
)

Vs.

) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants

) Case No. 1:22 -CV- 1146

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Addresses of Defendants
Berrien County Government
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Attorney, T. Seth Koches, for,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
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City of Benton Harbor
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Benton Harbor, MI 49022
(269) 927-8457

State Bar of Michigan
306 Townsend Street
Lansing, Michigan 48933
(517) 346-6305

Hon. Dana Nessel & Hon. Bryan W. Beach
Assistant & Attorney General of Michigan
525 W. Ottawa, 5th Floor
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**CERTIFICATE OF CONURRENCE
FOR DEFAULT JUDGMENT**

In accordance with W.D Mich. LCivR 7.1(d), the undersigned hereby certifies that on January 3, 3, 2023, he contacted Defendants via their legal representative to ascertain whether they would object to Plaintiff's Motion for Default Judgment due to Failure to File an Answer Plaintiff's Second Amended Complaint or a Motion Under Rule 12.

On January, 3, 2023 Plaintiff contacted Defendants' Attorney, Mr. Thaddeus Hackworth on behalf of his clients : 1), Defendant - Lori D. Jarvis Registrar; 2), Defendant - Lora L. Freehling Registrar; 3), Defendant - Kathleen Culberson, Notary Public; 4), Defendant – Bret Witskowski, Treasurer; 5), Defendant – Shelly Weich, Treasurer; 6), Defendant – Board of Commissioner; 7), Defendant – Attorney Mckinley R. Elliott; 8), Defendant – Attorney Donna B. Howard; 9), Defendant – Attorney James MCGovern; 10), Defendant – Berrien County Government; and 11), Defendant – Bret Witskowski, in his Individual capacity to ascertain concurrence to Plaintiff's Motion for Default Judgment due to their failure to file an answer to Plaintiff's Second Amended Complaint or a motion under rule 12, within the 21 days required, and they denied concurrence.

On January 3, 2023, Plaintiff contacted Defendant's Attorney, Ms. Katherine Gardner, on behalf of her client, Defendant – State Bar of Michigan, to ascertain if they will object to Plaintiff's Motion for Default Judgment due to their failure to file an answer to Plaintiff's Second Amended Complaint or a motion under rule 12, within the 21 days required by phone (517) 346-6305. Attorney, Ms. Katherine Gardner stated that she will pass the message on to Attorney Drew Baker and gave Plaintiff the telephone number (517) 346-6396 to contact Attorney Drew Baker. Plaintiff called the telephone number (517) 346-6396 and spoke with Attorney Drew Baker and concurrence was denied.

On January 3, 2023, Plaintiff contacted Defendants Attorney Joshua Thall on behalf of his Clients Defendants Niles Charter Township and the Niles Charter Township Board of Trustees (together the "Township Defendants") ascertain if they will object to Plaintiff's Motion for Default Judgment due to their failure to file an answer to Plaintiff's Second Amended Complaint or a motion under rule 12, within the 21 days required, and they denied concurrence.

On January 3, 2023, Plaintiff contacted Defendants Attorney Jefferey R. Holmstrom on behalf of himself as, 13), Defendant – Attorney Jefferey R. Holmstrom and his assigned, 14), Defendant – Holmdtrom Law Office, to

ascertain if they will object to Plaintiff's Motion for Default Judgment due to their failure to file an answer to Plaintiff's Second Amended Complaint or a motion under rule 12, within the 21 days required, and they did not respond to Plaintiff. Plaintiff call Attorney Holmstrom office telephone, (269) -983-0755 and cell (269) -930-xxxx, and left voice mail messages and he did not respond.

Respectfully Submitted,

Dated: January 3, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

CERTIFICATE OF SERVICE

The undersigned states that on the 3rd day of January 2023, a duplicate original of Plaintiff's, "CERTIFICATE OF CONURRENCE to Motion for Default judgment", was filed with the Clerk of the Court, using the ECF System, which will provide electric notice to the parties of record, and I have mailed by U.S. Postal Service the same to non-ECP participants.

Respectfully Submitted,

Dated: January 3, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.